

## **REMARKS**

Claims 1-30 are pending in the above-identified application, and claims 2-4, 8-15, 17-19 and 23-30 were withdrawn from consideration. Claims 1, 5-7, 16, and 20-22 were rejected. With this Amendment, claims 5, 7, 20, and 22 were amended, and claims 1 and 16 were cancelled. Accordingly, claims 5-7 and 20-22 are at issue.

### **I. Double Patenting Rejection of Claims**

The claims of the present invention were rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims of U.S. Patent No. 6,768,514. Applicants respectfully traverse this rejection.

Applicants respectfully submit that the claims of the present invention include a compensating means, which is not claimed in U.S. Patent No. 6,768,514. Thus, the claims of the present invention are not coextensive in scope with U.S. Patent No. 6,768,514. Accordingly, Applicants respectfully request withdrawal of this rejection.

### **II. Objection To Claims**

Claims 7 and 22 were objected to because of an informality. Applicants respectfully submit that Applicants' amendment to claims 7 and 22 obviates this objection. Accordingly, Applicants respectfully request withdrawal of this objection.

### **III. 35 U.S.C. § 102 Anticipation Rejection of Claims**

Claims 1, 5, 7, 16, 20, and 22 were rejected under 35 U.S.C. § 102(e) as being anticipated by Lee (U.S. Patent No. 6,285,798). Applicants respectfully traverse this rejection.

Claims 5 and 20 include a weighing coefficient for each of said plurality of said low pass filters wherein the sum of the weighing coefficients for said plurality of said low pass filters

equals one. Lee neither discloses nor suggests this limitation. Because claims 5 and 20 include a limitation that is neither disclosed nor suggested by Lee, claims 5 and 20 are allowable over Lee. Additionally, claims 7 and 22, which depend from claims 5 and 20, respectively, are also allowable by virtue of their dependencies from allowable independent claims. With this amendment, claims 1 and 20 have been cancelled. Accordingly, Applicants respectfully request withdrawal of this rejection.

**IV. 35 U.S.C. § 103 Obviousness Rejection of Claims**

Claims 6 and 21 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Lee (U.S. Patent No. 6,285,798). Applicants respectfully traverse this rejection.

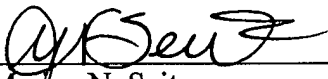
As discussed above, Lee does not disclose or suggest a weighing coefficient for each of said plurality of said low pass filters wherein the sum of the weighing coefficients for said plurality of said low pass filters equals one. Thus, it would not have been obvious to one of ordinary skill in the art to modify the Lee device to include the use of a weighted average of low frequency elements to derive claims 6 and 21. Accordingly, Applicants respectfully request withdrawal of this rejection.

V. **Conclusion**

In view of the above amendments and remarks, Applicants submit that all claims are clearly allowable over the cited prior art, and respectfully request early and favorable notification to that effect.

Respectfully submitted,

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